

1 *[Parties and Counsel Listed on Signature Pages]*

2  
3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 IN RE: SOCIAL MEDIA ADOLESCENT  
12 ADDICTION/PERSONAL INJURY  
13 PRODUCTS LIABILITY LITIGATION

MDL No. 3047

Civil Case No. 4:22-md-03047-YGR (PHK)

14 THIS FILING RELATES TO:

Honorable Yvonne Gonzalez Rogers

15 ALL ACTIONS

Magistrate Judge: Hon. Peter H. Kang

16 **STIPULATION AND ~~PROPOSED~~**  
17 **ORDER REGARDING DEPOSITION OF**  
**DR. JAMES MCGOUGH AND**  
**REBUTTAL REPORT OF DR. KARA**  
**BAGOT**

1 This stipulation relates to the case of David Melton (“Melton Matter”) (*Hicks, et al. v. Meta*  
 2 *Platforms, Inc. et al.*, No. 4:22-cv-06627). To establish a mutually agreeable deadline for Dr. James  
 3 McGough’s sur-reply report to the “Rebuttal Expert Report of Dr. Kara Bagot, M.D., Report Re:  
 4 David Melton,” and accompanying depositions and briefing deadlines for these expert reports, the  
 5 MDL Plaintiffs and Defendants (collectively, the “Parties”) enter into the below stipulation and agree  
 6 to continue to meet and confer on this schedule.

7 WHEREAS on October 29, 2024, the Court entered Court Management Order (“CMO”) No.  
 8 18 (ECF No. 1290), which set forth the case management schedule;

9 WHEREAS pursuant to CMO No. 18, expert discovery in this matter commenced on May 16,  
 10 2025;

11 WHEREAS pursuant to CMO No. 18, Plaintiffs’ case-specific opening expert reports were  
 12 due on May 19, 2025; Defendants’ case-specific experts’ responsive reports were due on July 11,  
 13 2025; and Plaintiffs’ case-specific experts rebuttal reports were due on August 1, 2025 (“Rebuttal  
 14 Report Deadline”);

15 WHEREAS Plaintiff served the “Expert Report of Dr. Sarah Lowenthal, MD, Report for:  
 16 David Melton” (“Lowenthal Opening Report”) on May 19, 2025, and a supplemental expert report,  
 17 “Supplemental Expert Report of Dr. Sarah Lowenthal, MD, Report for: David Melton” (“Lowenthal  
 18 Supplemental Opening Report”) on June 25, 2025;

19 WHEREAS Defendants served the “Expert Report of James McGough, M.D., M.S.”  
 20 (“McGough Responsive Report”) on July 11, 2025;

21 WHEREAS Plaintiff subsequently served the “Rebuttal Report of Dr. Sarah Lowenthal, MD,  
 22 Report for: David Melton” (“Lowenthal Rebuttal Report”) on the Rebuttal Report Deadline;

23 WHEREAS Plaintiff also served the “Rebuttal Expert Report of Dr. Kara Bagot, M.D., Report  
 24 Re: David Melton” (“Dr. Bagot Rebuttal Report”) on the Rebuttal Report Deadline;

25 WHEREAS Defendants will serve a case-specific expert responsive report authored by Dr.  
 26 McGough (“McGough Sur-Reply Report”) responding to the Dr. Bagot Rebuttal Report;

27 WHEREAS the Parties have conferred and agreed to reschedule Dr. McGough’s September  
 28 8, 2025, deposition until after Dr. McGough’s Sur-Reply Report has been served;

1 WHEREAS pursuant to the case management conference on August 22, 2025, Judge Gonzalez  
2 Rogers took the specific Personal Injury Bellwether motions for summary judgement off the calendar  
3 to be rescheduled during a later phase (8/22/2025 Hearing Tr. 42:18-21);

4 WHEREAS pursuant to CMO No. 27 (ECF No. 2274), Judge Gonzalez Rogers granted the  
5 Parties' Joint Stipulation and [Proposed] Order to Modify Pretrial Schedule (ECF No. 2256) on  
6 September 23, 2025, and ordered that any remaining motions, including motions specific to the  
7 personal injury plaintiffs, shall be decided in the next phase of this litigation;

8 **NOW, THEREFORE,** the Parties stipulate and agree as follows:

- 9 1. Dr. McGough may serve the McGough Sur-Reply Report in response to the Bagot Rebuttal  
10 Report by October 31, 2025.
- 11 2. Defendants preserve and do not waive their right to limit Dr. Bagot to a rebuttal opinion  
12 and/or oppose Plaintiff calling Dr. Bagot in their case-in-chief.
- 13 3. The Parties will meet and confer to identify a mutually agreeable time in November 2025  
14 for Dr. McGough's deposition in the Melton Matter.
- 15 4. The Parties will meet and confer to identify a mutually agreeable time in November 2025  
16 for Dr. Bagot's deposition in the Melton Matter.
- 17 5. Any Rule 702 motions filed in the Melton Matter relating to Dr. Bagot shall be filed within  
18 45 days of the completion of Dr. Bagot's deposition, or when the motions are due  
19 according to the calendar set by Judge Gonzalez Rogers, whichever is later in time.
- 20 6. Any Rule 702 motions filed in the Melton Matter relating to Dr. McGough shall be filed  
21 within 45 days of the completion of Dr. McGough's deposition, or when the motions are  
22 due according to the calendar set by Judge Gonzalez Rogers, whichever is later in time.

23 Dated: October 30, 2025

By: /s/ Jessica Davidson

24 **KIRKLAND AND ELLIS LLP**

25 Jessica Davidson, P.C.  
26 KIRKLAND AND ELLIS LLP  
27 601 Lexington Ave,  
28 New York, NY 10022  
Telephone: (212) 446-4723

**MUNGER, TOLLES & OLSEN LLP**

Jonathan H. Blavin, SBN 230269  
MUNGER, TOLLES & OLSON LLP  
560 Mission Street, 27th Floor  
San Francisco, CA 94105-3089  
Telephone: (415) 512-4000  
Facsimile: (415) 512-4077  
Rose L. Ehler (SBN 29652)  
Victoria A. Degtyareva (SBN 284199)

Ariel T. Teshuva (SBN 324238)  
MUNGER, TOLLES & OLSON LLP  
350 South Grand Avenue, 50th Floor  
Los Angeles, CA 90071-3426  
Telephone: (213) 683-9100  
Facsimile: (213) 687-3702

Lauren A. Bell, pro hac vice  
MUNGER, TOLLES & OLSON LLP  
601 Massachusetts Ave., NW St.,  
Suite 500 E  
Washington, D.C. 20001-5369  
Telephone: (202) 220-1100  
Facsimile: (202) 220-2300

*Attorneys for Defendant Snap Inc.*

By: /s/ Joseph VanZandt

**BEASLEY ALLEN CROW METHVIN PORTIS  
& MILES, P.C.**

JOSEPH G. VANZANDT  
BEASLEY ALLEN CROW METHVIN  
PORTIS & MILES, P.C.  
234 COMMERCE STREET  
MONTGOMERY, AL 36103  
Telephone: + 1 (334) 269-2343  
Email: joseph.vanzandt@beasleyallen.com

*Attorneys for Plaintiffs*

**COVINGTON & BURLING LLP**

Ashley M. Simonsen (State Bar No. 275203)  
COVINGTON & BURLING LLP  
1999 Avenue of the Stars

Los Angeles, CA 90067  
Telephone: + 1 (424) 332-4800  
Facsimile: +1 (650) 632-4800  
Email: asimonsen@cov.com

Phyllis A. Jones, pro hac vice  
Paul W. Schmidt, pro hac vice  
David N. Sneed, pro hac vice  
COVINGTON & BURLING LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
Telephone: + 1 (202) 662-6000  
Facsimile: + 1 (202) 662-6291  
Email: pajones@cov.com  
Email: pschmidt@cov.com  
Email: dsneed@cov.com  
Emily Johnson Henn (State Bar. No. 269482)

COVINGTON & BURLING LLP  
3000 El Camino Real  
5 Palo Alto Square, 10th Floor  
Palo Alto, CA 94306  
Telephone: + 1 (650) 632-4700  
Facsimile: +1 (650) 632-4800  
Email: ehenn@cov.com

*Attorney for Defendants Meta Platforms, Inc. f/k/a  
Facebook, Inc.; Facebook Holdings, LLC; Facebook  
Operations, LLC; Facebook Payments, Inc.;  
Facebook Technologies, LLC; Instagram, LLC;  
Siculus, Inc.; and Mark Elliot Zuckerberg*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: October 31, 2025

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE